

THE HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.NO.15456 of 2007:

Date:20.07.2007

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Between:

Verukonda Sri Harika and another Petitioners

And/-

The Superintendent of Police, Kakinada and four others
.....Respondents.

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ORDER:

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The petitioners seek a writ of mandamus to declare the action of the respondent No.3 colluded with the respondents 4 and 5 in interfering and harassing the petitioners, as illegal and arbitrary.

The case of the petitioners is that the first petitioner fell in love with the second petitioner and as both of them are majors, they got married on 12.07.2007 at Sri satyanarayana Swamy Temple, Annavaram as per Hindu customs and the temple authorities also issued a receipt for their marriage. The date of birth of the first petitioner is 04.07.1989 and she is aged about 19 years as on the date of the marriage. It is stated that the 4th respondent is the father and 5th respondent is the maternal uncle of the first petitioner and they have made a complaint before the 3rd respondent as if the second petitioner has committed an offence and without registering any case against the petitioners, the petitioners were illegally detained in the police station of the third respondent on 13.07.2007 till mid-night and thereafter at the intervention of the first respondent, they were let off. Thus, it is the case of the petitioners that even though they have not committed any offence, the 3rd respondent is harassing them.

I am not inclined to believe the version of the petitioners in the absence of any representation made by them before the superior officers.

However, as both the petitioners filed this writ petition stating that they have married and they intend to lead independent life without any intervention either from the police or from their parents or relatives.

Having regard to the facts of the case, the petitioners are directed to approach the second respondent within (10) days from today and on their appearance before the

2nd respondent, the 2nd respondent shall take necessary steps to get the statements of both the petitioners recorded by the Judicial Magistrate of the First Class concerned and take appropriate action based on the statements recorded by the Judicial Magistrate of the First Class concerned. Till the statements of the petitioners are recorded, the petitioners shall not be arrested and on their seeking protection by way of representation, the respondents 2 and 3 shall render necessary protection to them.

With the aforesaid observations, the writ petition is disposed of. No costs.

V.ESWARAIAH,J

Date:20.07.2007

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